

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION**

MICHAEL GARRISON,

Plaintiff,

v.

Case No. 08-10859
Hon. Lawrence P. Zatkoff

TRANSUNION,
EQUIFAX INFORMATION SERVICES, LLC,
EXPERIAN,
AFNI, INC., and
T-MOBILE WIRELESS,

Defendants.

**OPINION AND ORDER ADOPTING IN PART
MAGISTRATE JUDGE'S REPORT AND RECOMMENDATION**

This matter comes before the Court on Magistrate Judge Whalen's Report and Recommendation [dkt 65], in which the Magistrate Judge recommends that the Court grant Defendant T-Mobile Wireless' motion to dismiss or, in the alternative, stay the proceedings pending arbitration [dkt 34] as to Defendant T-Mobile Wireless, but deny the motion as to Defendant AFNI. Defendant AFNI joined in Defendant T-Mobile Wireless' motion. Neither party has filed an objection to the Report and Recommendation, and the time period in which to do so has elapsed. After the Magistrate Judge filed the Report and Recommendation, Plaintiff agreed to dismiss all claims against Defendant T-Mobile Wireless.

The Court has thoroughly reviewed the court file and the Report and Recommendation. As

a result of the review, the Court ADOPTS the Report and Recommendation as it relates to Defendant AFNI and enters it as the findings and conclusions of this Court. Since Plaintiff has agreed to dismiss all claims against Defendant T-Mobile Wireless, the Court rejects the Report and Recommendation as moot to the extent it relates to Defendant T-Mobile Wireless.

Accordingly, IT IS HEREBY ORDERED that Defendant T-Mobile Wireless and Defendant AFNI's motion to dismiss or, in the alternative, stay the proceedings pending arbitration [dkt 34] is DENIED.

IT IS SO ORDERED.

S/Lawrence P. Zatkoff
LAWRENCE P. ZATKOFF
UNITED STATES DISTRICT JUDGE

Dated: March 22, 2010

CERTIFICATE OF SERVICE

The undersigned certifies that a copy of this Order was served upon the attorneys of record by electronic or U.S. mail on March 22, 2010.

S/Marie E. Verlinde
Case Manager
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